

EXECUTIVE COUNCIL OF IOWA AGENDA

State Capitol - Robert D. Ray Conference Room (G09) 10:00 a.m.

MAY 13, 2013

1. Introduction of Attendees
2. Approval of minutes of meeting held April 29, 2013
3. Personal Appearance –
 - A. Jeff Terrell, Department of Human Services will be present to request the recent Resolution of Funds for the disasters in Cedar, Johnson, Mahaska, Scott and Washington Counties in the amount of \$500,000.00 include Appanoose, Clinton, Davis, Decatur, Des Moines, Jefferson, Keokuk, Lucas, Marion, Monroe, Ringgold, Van Buren, Wapello, Warren and Wayne counties.
TAB # 1
4. Litigation Expense – Page 1
TAB # 2
5. Payment of Cost Items – Page 1
6. Information Items – Page 1
TAB #'s 3, 4 and 5

4. Litigation Expense Fund

- A. Request from the Attorney General's office on behalf of the Department of Revenue to expend \$150,000.00 from the Litigation Expense Fund during the fourth quarter of the 2013 fiscal year.

TAB # 2

5. Payment of Cost Items

- A. Dow Lohnes PLLC.....\$674.00
1200 New Hampshire Ave NW Suite 800
Washington, DC 20036
Iowa Public Television

Julie Pottorff, Deputy Attorney General, has reviewed this invoice and recommends payment. Payment will be made from the funds of Iowa Public Television.

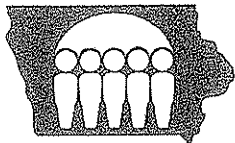
- B. McDowell, Rice, Smith & Buchanan.....\$1,623.02
605 West 47th Street, Suite 350
Kansas City, MO 64112
Tobacco Settlement Authority

Julie Pottorff, Deputy Attorney General, has reviewed this invoice and recommends payment. Payment will be made from the funds of the Tobacco Settlement Authority.

6. Information Items

Status of State Aid (Iowa Code 29C.20) Allocations quarterly up-date.

TAB'S #'s 3, 4 and 5



Iowa Department of Human Services

Terry E. Branstad
Governor

Kim Reynolds
Lt. Governor

Charles M. Palmer
Director

TAB # 1

MAY 9 2013

Executive Council
Attn: GeorgAnna Madsen
Capitol Building
LOCAL

2013 MAY 9 11:05 AM
OFFICE OF THE DIRECTOR
IOWA DEPARTMENT OF HUMAN SERVICES

Item: Governor Proclamation of a State of Disaster Emergency – Request for Funds

Dear Ms. Madsen:

Per the Governor Disaster Declaration, I am requesting funding for the Iowa Individual Assistance Grant Program be placed on the Executive Council Agenda for Monday, May 13, 2013. The Iowa Department of Human Services is requesting the Executive Council adopt a Resolution to allow Funds in the amount of \$500,000.00 previously adopted for Cedar, Johnson, Mahaska, Scott, and Washington Counties pursuant to House File 896 Section 1 on April 29th, to be amended to also allow the same funds to be utilized in subsequent declared counties of Appanoose, Clinton, Davis, Decatur, Des Moines, Jefferson, Keokuk, Lucas, Marion, Monroe, Ringgold, Van Buren, Wapello, Warren, and Wayne counties.

The account coding for the funds to be transferred was and remains:

Dept Fund Appr Org
401 0391 0000 1304_ State Only Disaster – April, 2013 Cedar, Johnson, Mahaska, Scott, and Washington, Appanoose, Clinton, Davis, Decatur, Des Moines, Jefferson, Keokuk, Lucas, Marion, Monroe, Ringgold, Van Buren, Wapello, Warren, and Wayne counties

Thank you for your assistance..

Sincerely,

Charles M. Palmer
Director

cc: Vern Armstrong
Marvin Shultz
Kris Thomas
Lee Hill



TAB # 2

THOMAS J. MILLER
ATTORNEY GENERAL

JULIE F. POTTORFF
DEPUTY ATTORNEY GENERAL

Address Reply To:
1305 E. Walnut Street
Des Moines, Iowa 50319
Telephone: 515/281-3349
Fax: 515/281-4209
Julie.Pottorff@iowa.gov

Iowa Department of Justice

April 30, 2013

GeorgAnna Madsen
Executive Secretary
Executive Council
State Capitol
L-O-C-A-L

Re: Litigation Expense Fund

Dear GeorgAnna:

On behalf of the Department of Revenue, Assistant Attorney General Jim Miller requests authorization to expend monies from the Litigation Expense Fund pursuant to Iowa Code section 441.73 in the fourth quarter of the 2013 fiscal year. The Department started the 2013 fiscal year with a balance of \$681,671.24 which included a transfer of \$200,000 into the Fund as authorized by the Executive Council in June, 2012. During the past three quarters expenditures were: \$17,261.27 from July 1 through September 30, 2012; \$43,238.71 from October 1 through December 31, 2012; and \$33,152.30 from January 1 through March 31, 2013.

Litigation expenses in the fourth quarter of the 2013 fiscal will involve judicial review actions in Polk County District Court with Cable One, Inc., and Little Sioux. In addition, property valuation contested cases with three small telephone companies are continuing. Litigation fees and expenses are estimated at \$150,000 for the fourth quarter.

The Department, therefore, requests authorization to expend \$150,000 from the Litigation Expense Fund in order to cover estimated litigation fees and expenses for the fourth quarter of the 2013 fiscal year.

Sincerely,

A handwritten signature in black ink that reads "Julie F. Pottorff".

JULIE F. POTTORFF
Deputy Attorney General

Executive Council of Iowa
Status of Disaster Aid (Iowa Code 29C.6(17))
State / Federal Disaster Declarations

TAB # 3

QUARTERLY UPDATE: 3/31/2013

Executive Council Agenda -- Information Item

Agency Iowa Homeland Security and Emergency Management Division
Contact Name Pat Hall, Recovery Bureau Chief
Contact Phone 515-979-1835
Contact Email patrick.hall@iowa.gov

Declaration Number	Date of Event	Type of Event	Executive Council Authorized/Allocated	Expended Year-to-Date	Remaining State Liability	"X" if Final Update
DR 1686	02/23/2007 to 03/02/2007	Severe Winter Storms	\$ 10,073,096.41	\$ 9,153,425.37	\$ 919,671.04	
DR 1705	05/05/2007 to 05/07/2007	Severe Storms, Tornadoes, Floods	\$ 3,600,871.00	\$ 1,922,368.72	\$ 1,678,502.28	
DR 1727	08/17/2007 to 09/05/2007	Severe Storms, Floods	\$ 1,537,963.00	\$ 843,011.84	\$ 694,951.16	
DR 1737	12/10/2007 to 12/11/2007	Severe Winter Storms	\$ 4,569,933.00	\$ 3,986,572.51	\$ 583,360.49	
DR 1763*	05/25/2008 to 08/13/2008	Severe Storms, Tornadoes, Floods	\$ 58,099,526.00	\$ 35,240,911.17	\$ 22,858,614.83	
DR 1854	07/10/2009 to 07/10/2009	Severe Storms, Wind	\$ 1,063,522.00	\$ 283,597.77	\$ 779,924.23	
DR 1877	12/23/2009 to 12/27/2009	Severe Winter Storms, Snowstorm	\$ 1,815,200.00	\$ 630,222.49	\$ 1,184,977.51	
DR 1880	01/19/2010 to 01/26/2010	Severe Winter Storms	\$ 20,626,781.00	\$ 1,629,452.95	\$ 18,997,328.05	
DR 1928	05/12/2010 to 05/13/2010	Severe Storms, Floods	\$ 1,905,460.00	\$ 163,209.71	\$ 1,742,250.29	
DR 1930	06/01/2010 to 08/31/2010	Severe Storms, Tornadoes, Floods	\$ 11,012,620.00	\$ 3,147,312.01	\$ 7,865,307.99	
DR 1977	04/09/2011 to 04/10/2011	Severe Storms, Tornadoes, Straight-Line Winds	\$ 965,310.00	\$ 86,413.31	\$ 878,896.69	
DR 1998	05/25/2011 and 08/01/2011	Missouri River Flooding	\$ 9,620,888.00	\$ 1,652,801.26	\$ 7,968,086.74	
DR 4016	07/09/2011 to 07/14/2011	Severe Storms, Straight-Line Winds, Floods	\$ 1,065,892.00	\$ 218,726.91	\$ 847,165.09	
DR 4018	07/27/2011 to 07/29/2011	Severe Storms, Floods	\$ 819,935.00	\$ 134,189.00	\$ 685,746.00	
TOTALS			\$ 126,776,997.41	\$ 59,092,215.02	\$ 67,684,782.39	

* DR 1763 -- Estimated state need = \$111,683,025

The above data is provided as an information update to the Executive Council of Iowa.

Patrick J Hall Recovery Bureau Chief

Date

STATUS OF STATE AID (Iowa Code 29C.20) NON-HSEMD ALLOCATIONS TAB # 4
Quarterly Update, 03/31/2013
Presented by Office of Treasurer of State

Job Number	Date of Event	Department	Type of Event	Original Allocation	Remaining State Liability
65408012	07/26/2007	DHS	Cherokee Mental Health Institute water line break	\$ 219,573.52	\$ 72,800.00
1028	08/09/2009	DNR	Hail storm at Brushy Creek	\$ 4,140.00	\$ 4,140.00
1031	08/09/2009	DHS	State Training School storm damage	\$ 863,628.00	\$ 25,001.03
1133	March - July 2010	DNR	Flooding damage to several Iowa State Parks	\$ 196,964.52	\$ 100,713.41
1237	08/11/2010	DNR	Damage to garage at Brushy Creek State Recreation area due to heavy rains & mud slide	\$ 40,000.00	\$ 40,000.00
1118	August 2010	ICN	Damage to Fiber Optic Cable due to flooding in Jasper County Skunk River	\$ 22,086.34	\$ 22,086.34
1218	07/22/2011	DNR	Wind damage to a storage building at Wapsipicon State Park	\$ 15,561.35	\$ 15,561.35
1307	07/28/2011	DNR	Damage at Mines of Spain State Recreation Area 10-15 inches of rain	\$ 48,974.79	\$ 48,974.79
1204	08/18/2011	DPS	Hail damage to the Atlantic State Radio and 20 vehicles	\$ 106,342.97	\$ 42,545.54
1217	10/13/2011	ICN	Damage to Fiber Optic Cable due to flooding & erosion at Little Turkey River	\$ 10,218.67	\$ 10,218.67
1225	12/25/2011	DNR	Fire damage at the State Parks Trails Office at Big Creek State Park	\$ 406,763.19	\$ 406,763.19
1230	01/01/2012	ICN	Damage to Fiber Optic Cable near Manchester due to rodent chew	\$ 10,967.40	\$ 10,967.40
1229	02/01/2012	ICN	Damage to Fiber Optic Cable due to erosion in Lucas County	\$ 17,756.98	\$ 17,756.98
1232	02/07/2012	ICN	Damage to Fiber Optic Cable in Shelby County due to gopher chew	\$ 6,372.40	\$ 6,372.40
1239	April 2012	DNR	Plugged sewer line and oil sludge from fire at State Park Trails Office - Big Creek	\$ 5,385.00	\$ 5,385.00
1243	05/04-05/06/12	DPS	Wind and Hail damage to vehicles in Western Iowa and a window at Cherokee	\$ 4,514.58	\$ 1,790.00
1242	05/14/2012	ISF	Fire damage to a warehouse at the Iowa State Fair grounds	\$ 29,262.00	\$ 29,262.00
1303	07/07/2012	IA St Fair	Fire damage to ticket booth 3 at the Iowa State Fair Grounds	\$ 4,960.00	\$ 10,935.00
1302	07/27/2012	ICN	Damage to cable due to erosion in the Whitebreast Creek Area	\$ 7,457.13	\$ 9,440.24
1306	09/23/2012	DOC	Fire damage to a boiler at the Power Plant - Anamosa State Penitentiary	\$ 75,925.54	\$ 69,475.85
TOTALS				\$ 2,266,126.29	\$ 950,189.19

Funds Authorized by Executive Council for State and Federal Disasters

Executive Council Authorization of Funds for a Governor's Proclamation of a State of Disaster Emergency (29C.20A)

Unit	Description	ExecC Ltr Dated	Authorized Amount	Cumulative Auth. to Date	Spent as of 3/31/2013	Unspent 3/31/2013
1107	Marion, Marshall and Tama	7/18/11	50,000	50,000		
	Marion, Marshall and Tama	9/26/11	15,000	65,000		
	Marion, Marshall and Tama	10/24/11	30,000	95,000		
	Return of unspent funds	7/30/12	-19,781	75,219	75,219	0
1108	Dickinson and Benton	8/1/11	40,000	40,000		
	Dickinson and Benton	12/19/11	15,496	55,496		
	Dickinson and Benton	7/30/12	6,921	62,418	62,418	0
1109	Dubuque and Story	8/8/11	90,000	90,000		
	Dubuque and Story	8/29/11	260,000	350,000		
	Dubuque and Story	9/26/11	235,000	585,000		
	Return of unspent funds	7/30/12	-96,534	488,466	488,466	0
1110	Emmet	9/26/11	20,000	20,000		
	Emmet	11/21/11	10,888	30,888		
	Return of unspent funds	7/30/12	-3,753	27,135	27,135	0
1204	Fremont and Union	4/23/12	200,000	200,000	45,892	154,108
1304	Cedar Johnson Mahaska Scott Washington	4/29/13	500,000	500,000	NA	NA

Funds authorized by Exec Council under 29C.20A last three fiscal years

	Maximum Authorized	Authorized After Returns	Spent as of 3/31/2013	Unspent 3/31/2013
SFY2011 funds authorized and spent	928,214	471,144	471,144	0
SFY2012 funds authorized and spent	973,305	853,237	699,129	154,108
SFY2013 funds authorized and spent	500,000	500,000	NA	NA

State Share authorized for FEMA Other Needs Assistance (ONA) grant under the federal Individual Assistance Program

Unit	Description	ExecC Ltr Dated	Authorized Amount	Cumulative Auth. to Date	Spent as of 3/31/2013	Unspent 3/31/2013
1930	ONA 2010 - state 25% share	8/30/10	500,000	500,000		
	ONA 2010 - state 25% share	9/20/10	300,000	800,000	641,847	158,153
1998	ONA 2011 - state 25% share	10/24/11	41,000	41,000		
1998,1999	ONA 2011 - state 25%/admin above FEMA 5% cap	1/30/12	35,000	76,000	73,660	2,340

FEMA Other Needs Assistance and State-Only Disaster Expenditures by Quarter

	Date Original Authoriz.	Maximum Authorized Amount	Cumulative Spent To Date	2011 Apr-Jun	2011 July-Sep	2011 Oct-Dec	2012 Jan-Mar	2012 Apr-Jun	2012 July-Sep	2012 Oct-Dec	2013 Jan-Mar
1010 Appanoose, Johnson, Washington and Monona	8/9/10	78,214	78,214	0	0	0	0	0	0	0	0
1104 Monona, Sac, Buena Vista and Pocahontas storms	4/25/11	300,000	175,139	63,060	84,616	11,398	0	0	16,066	0	0
1105 Taylor tornado	5/16/11	50,000	32,260	15,419	16,840	0	0	0	0	0	0
1106 Woodbury, Monona, Harrison, Pottawattamie, Mills, Fremont	7/18/11	500,000	185,531	0	124,326	58,179	3,026	0	0	0	0
1107 Marion, Marshall and Tama	7/18/11	95,000	75,219	0	15,245	7,139	47,586	5,250	0	0	0
1108 Dickinson and Benton	8/1/11	55,496	62,418	0	31,917	9,488	0	21,013	0	0	0
1109 Dubuque and Story	8/8/11	585,000	488,466	0	0	418,362	70,104	0	0	0	0
1110 Emmet	9/26/11	30,888	27,135	0	0	27,135	0	0	0	0	0
1204 Fremont and Union	4/23/12	200,000	45,892	0	0	0	0	0	45,892	0	0
1304 Cedar Johnson Mahaska Scott West	4/29/13	500,000	0	0	0	0	0	0	0	0	0
Total				78,480	272,944	531,699	120,716	26,263	61,957	0	0

FEMA Other Needs Assistance (ONA) grant under the federal Individual Assistance Program

1930 ONA 2010 - Total program		2,567,387	-2,366	840	0	-515	3,358	0	0	0	0
1930 ONA 2010 - fed 75% share	7/29/10	2,100,000	-1,774	630	0	-386	2,519	0	0	0	0
1930 ONA 2010 - state 25% share	8/30/10	800,000	-591	210	0	-129	840	0	0	0	0
1931 ONA 2010 - Total admin		83,444	1,436	1,022	3,984	2,566	2	-1	0	0	0
1931 Admin 100% fed up to cap**		83,444	1,436	1,022	3,984	2,566	2	-1	0	0	0
1931 Admin state \$ above 5% cap		0	0	0	0	0	0	0	0	0	0
1998 ONA 2011 - Total program		203,327	0	0	174,829	29,727	-2,789	1,200	0	360	0
1998 ONA 2011 - fed 75% share	11/4/11	150,000	0	0	131,122	22,295	-2,091	900	0	270	0
1998 ONA 2011 - state 25% share*	10/24/11	53,171	50,832	0	0	43,707	7,432	-697	300	0	90
1999 ONA 2011 - Total admin		30,394	0	0	18,079	8,721	2,584	1,004	3	3	3
1999 Admin 100% fed up to cap**		7,565	0	0	4,835	2,730	0	0	0	0	0
1999 Admin state \$ above 5% cap*	1/30/12	22,829	0	0	13,244	5,991	2,584	1,004	3	3	3

* Any dollars authorized for state share of ONA which are not spent on administration are assumed to be allocated for program expenditures.

**FEMA pays 100% of admin up to 5% of the federal 75% share of program expenditures.

Negative expenditures in some quarters are due to refunds and reimbursements.